

1891-006 Chancery Causes: William N. Hobbs & vs. J. C. Scott &
Lee Co.

CA-Debt
T-Property

To the Hon. John A. Kelly Judge of
the Circuit Court of Lee County Va
Your orators William S. Hobbs and
Henry C. Hobbs, humbly complain-
ing sheweth unto your Honor, that
heretofore, at the March T. 1884 of
this Honorable Court, they obtained
two Judgements against J. C. Scott
and J. H. Scott, one was for the
sum of \$382, with legal interest
thereon from March 1st. 1883, and \$8.16
Costs at law. The other was for the sum
of \$258. with like interest from the
same time, and like costs of \$8.16. These
Judgements have been docketed, in
the Judgement lien docket in the County
Court of said County. All of which
fully and more at large appears
by a transcript, from the records,
in this Hon. Court and from said
lien docket, herewith filed marks 1 & 2
and which are prayed to be con-
sidered herewith as part hereof.

Soon after the rendition of said
Judgements, about the 15th of May
there was paid to your orators on
these Judgements the sum of \$184. which
is all that has ever been paid.

The residue is still due and owing to your creditors from said Scotts.

Your creditors allege that John W. Scott is the owner in fee of a small tract of valuable land situated in Gooch Station Lee County Va, and known as his the said Scotts home place, whereon he now resides.

Your creditors are advised, that their said judgement is a lien upon said lands, and that the same is enforceable in equity upon the same.

They allege that the rents and profits of the same will not in five years pay and discharge the same and attendant costs.

The object of this bill therefore is to enforce said lien, and to have said lands or so much thereof as may be necessary sold as will pay and discharge the same.

The premises considered therefore your creditors prayer is that J. W. Scott and J. C. Scott be made parties defendant to this bill and answer its allegations upon oath and upon a hearing a decree be rendered enforcing said lien

and selling so much of said land
as may be necessary to pay the
same and costs. And for all other
further and general relief may
be issued.

A. L. Pickens.

P. 2.

C 4.00
 A 15.00
 S 1.00
 Estimate 20.00

Wm. N. & H. C. Hobbs

Bill Chy

J. C. & J. W. Scott

C to Mr. 1888. 4.00
 Canon 5.20

C 6.52 yet
 due to be
 paid by
 Scott

1884, Sept. Bill Filed

" Oct. 1st

Nov. 1st Continued

+ case set for hearing

1885. Mr. Decree for sale of land

" Aug 1st Mr. Court d

1886 Mr. Court d Aug

Decree & continued

" Nov. Continued

1887. Mr. Continued

" Aug Decree & Court d

1888. Mr. Decree & Court d

" Aug & Nov Court d

1889. Court d 1890 Court d

1891 Mr. Court d

" Nov. Dismissed by Court

1 Wm V. & H. C. Hobbs
2 against-
3 J. C. & J. W. Scott Defs } In Chancery,
4 On motion of the plaintiffs this Cause
5 is dismissed, ^{it being admitted that} all matters therein
6 have ~~been~~ been settled.
7
8
9
10
11

Am N & W. C. Hobbs
vs { Order Final
3
J. C. & J. W. Hobbs

Ente Co. 12 # 3.

page 363.

By att &c.

Enter this order

H. L. K. M.

Dec 1st 1891

^{1st} W. & H. C. Hobbs Compts }
vs } In Chan-
J. C. & J. W. Scott Defts }

This cause came again this day to be heard upon the papers formerly read in the cause, and the report of J. A. G. Hyatt filed Nov. 10th 1886 and statements therewith and was argued by counsel, and no exceptions appearing to said report the same together with the accompanying statements are ~~and~~ each confirmed: On consideration whereof and for reasons appearing to the court it is adjudged, ordered and decreed that L. Whitehill & Co. recover from said defendants the sum of \$198.76⁴ with legal interest on \$173.20 part thereof from the 11 day of Oct., 1884 till the same is paid and the costs of this suit.

And it is further adjudged, ordered and decreed by the court that unless the said defendants or some one for them pay the said sum, interest and costs of this suit within 30 days from the rising of this court then E. W. Huntington who is hereby appointed a comm. for the

purpose will proceed to sell the
land in the bill and proceedings
mentioned, or so much thereof as
may be necessary to pay the same
and the costs of this suit. He will
make sale of the same on a cred-
it of six, twelve & eighteen months,
except so much as may be neces-
sary to pay costs of this suit and
commissions of sale he will re-
quire to be paid down, and for the
deferred payments he will take
bonds with good personal securi-
ty payable to himself as such
comr. He shall make said sale
at the front door of the court-
house on some court-day at pub-
lic outcry and to the highest bidder
after having duly advertised the
time, place and terms of sale
^{on} ~~at~~ the bulletin board of the court-
house and in the neighborhood
of said lands for at least 30 days.

But before executing the terms of
this decree said comr. is required
to execute bond before the clerk of
this court in a penalty of \$300
conditioned to faithfully and

duly ~~to~~ perform his duties as
such cause. And he will ~~therefore~~
report - his action to a future
term of this court and this
cause is continued.

H. W. H. L. Hobbs

vs } Secrecy of Sale

J. L. + J. W. Scott

Entered Chy

"O B." page 137

Hyatt & Co

Enter This

April 6 1888.

H. S. K. M.

Wm St. Hobbs Suror & c. Off
Against J. C. & J. O. Scott Sept 1886

This Cause came on this day
to be again heard upon the
papers formerly read and the
report of John A. G. Hyatt
filed Nov. 10-1886 and statement
thereon and was argued by
Counsel. And no exceptions
appearing to said report the
same and accompanying
statement are each of them
is confirmed & made final
On consideration whereof &
for reasons appearing to the
Court it is adjudged ordered
& decreed that Wm St. Hobbs
Survivor, recover from the
defendants the sum of \$66.71
and legal interest on \$57.32 part
thereof from Dec. 1st 1886 till paid
and the costs of this suit -
That J. Whitehill & Co recover the
sum of \$198.76 and interest on
\$178.20 part thereof from Dec
1st 1886, That Henry C. Backson
recover \$5.31 & cost from Dec 1st 1886

and that, unless the defendant
or some one for them pay the
same within 20 days from
the rising of this Court then
A. L. Pickens who is
hereby appointed a special
Com. Messenger for the purpose
will proceed to sell the de-
fendant J. W. Scotts Land
or so much thereof as may
be necessary to pay the same
and the costs of this suit - He
will make sale on some
Court-day in front of the
Court-house of Lee County
by public out-bid to the highest
bidder on a credit of six
months & 18 months, except so
much as may be necessary
to pay cash - he will require
to be paid in hand, and for the
residue take bonds payable to
himself as Com. bearing interest
from day of sale. But before
proceeding to execute this decree
he will execute bond before the
clerk of this Court in a pen-
alty of \$1500 conditioned to

clearly perform his duties
hereunder. He will then adver-
tise said land for at least
30 days on the front door
of the Court House and in the
neighborhood where the land
lies, setting out time term and
place of sale - He will
report his action to the
Court at some future term
& the cause is continued.

Amct. & H. P. Kosh

W. H. Currier

25 Dull

John W. Scott etc

Aug 7 1857

Entered page 77

C. C. Book No. 3.

J. A. Scott
C. C.

Entered this

Sept 3 1857

H. S. K. M.

Wm A. & A. C. Hobbs. Plffs
against
J. C. & J. W. Scott, Defts } In Chy:

This,

Cause, came on, this day again to be heard upon the papers heretofore read; and the arguments of Causse. And it not fully appearing how much if any of said last decree in this Cause has been paid, and that there are after judgement and heirs upon said lands, necessary to be ascertained before a further sale should be made. John A. G. Hyatt will ascertain and report what if any after judgement have been obtained against the defendants when obtained & to whom due and their respective amounts and priorities; and if any creditors may come in under this decree before their claims. But before proceeding he will give the parties timely notice of the time and place of his sitting - He will report any matters deemed pertinent by himself or required by either party, to this Court at its next term and the Cause is Continued.

Wm. H. & H. C. Hobbs

v² Decree.

J. C. & J. W. Scott
Aug. 7. 1886
Entered on page 556

Enter this
Aug. 30. 1886.
J. A. K.

Wm. N. Hobbs Esq. &c

Depts

vs

J. C. & John W. Scott

Depts

} In Chancery

To The Hon. J. H. Kelly
Judge of the Circuit Court for Kentucky.

Having been appointed a commissioner
at the Aug. Term 1886 in the above
styled cause, and directed to
ascertain the Judgment liens
against the defendants, which
operate as liens against the real
estate of the defendant John W. Scott,
&c &c. Respectfully reports

that after giving due notice of
the time and place, I proceeded
at my office in the town of
Jenningsville to determine the matters
referred to me on the 8th Nov. 1886.

On examination of the lien
docket I found a number
of several judgments against
the defendants and others, and
upon consultation with attorneys
for the Plaintiffs, I was informed
by them that I need not report
such judgments, as they were
mostly settled and if not that
the other parties against which
said judgments rested were solvent

and secured personal property out
of which the same could be
easily made.

And by pursuing this course
I find that the Plaintiffs two
Judgments which were consoli-
dated into one by a decree of
Master "James Grant" entered March
2nd 1885, is the first or prior
lien and incumbrance as appears
from the records including
interest and costs on the 1st Dec
1886, to the sum of \$146.91, the
defendants not appearing to show
otherwise I suppose this to be cor-
rect, however I observe on the
margin of the decree giving
this Judgment, a calculation
which shows a credit of
\$30.00 from 15th 1885, should it be
proper to give this credit a
prior calculation would set
this all right.

I find the Judgment of J. State-
bank & Co amounting to the sum of \$175.96,
the 1st Dec 1886 to the sum of \$175.96,
the Judgment of Bank of Allegheny &
Acres amounting including principal

interest and costs on the 1st Dec.
1886 to the sum of \$198.60 and the
Judgment in favor of Henry R.
Jackson & wife amounting on said
1st Dec. 1886 to the sum of \$45.51
including prin, int, & costs less comm-
ission, all to be of equal digni-
ty, they each having been judg-
ed at the same term of the
Court to wit at the Nov. of Term 1888,
and calculation &c. See list of liens
decreed filed March 2^d 1889 amounting
in the aggregate to the sum of
\$1088.25 on the 1st December 1886.

Respectfully Submitted

Wm. F. Wyatt Esq.

W. H. C. H. C. H. C.
Course Report

2003
D. B. H. H. C. H. C.

Filed Nov. 10 1886
D. B. H. C. H. C.

Course fee \$7.50

List of liens against the Real Estate of John W Scott

1

To Wm N & H W Hobbs for Judgments
of the Circuit Court of Lee County, No 1
rendered April 2nd 1884 for \$383.⁰⁰
with interest from the 1st March 1883
No 2 rendered same time April 2nd 1884
for \$258.⁰⁰, on which judgments
a decree was rendered on the 27th
day of March 1885 for \$656.³²
with interest on \$640.⁰⁰ part thereof
from the 1st March 1883 subject
to a credit of \$184.⁰⁰ paid May
15th 1884, & the Costs of the suit,
Am't decreed with int. from Mar 1st 1883 \$640.⁰⁰
Interest to May 15th 1884 45.⁰⁰
Add Costs of suit 16.³²
Credit May 15th 1884 184.⁰⁰
Interest to Dec. 1st 1886 7517.³²
Add Estimated Costs of this suit 50.⁰⁰
Total Bal. prin, int & costs to Dec. 1st 1886 \$6116.³¹

2

To J. Whitehill & Co for freight
Rec Circuit Court April 1st 1885 \$173.²⁰
Interest thereon from 11 Oct/84 to Dec 1st 1886 17.⁷⁷
Add Costs of suit 8.²⁴
Total prin, int & costs to Dec. 1st 1886 \$198.⁷⁶

2

Butcher

To Buck Haffelbauer & Son
for Judgment of the
Circuit Court of Lee County \$864.⁷⁷

Settled

Settled in full

Accounts brought forward \$8416.97
 Unit paid with Int. from 15th March 1885 \$163.05
 on \$160. 82 part thereof to Decr 1st 1886 26.05
 Add for costs of suit 9.50 \$198.60
 To Henry C. Jackson for dues
 of the Circuit Court of the County
 for \$34.33 as costs of a summary
 suit March 28th 1885. on
 which a forthcoming bond
 was taken and judgment and
 said bond for \$39.36 with
 Int. from the 20th Sept. 1885 \$39.36
 Interest to Decr 1st 1886 2.52
 Add for costs on bond 3.43 \$45.31
 Total due Decr 1st 1886 \$1088.28

Wm. V. 1034 C. 2440

2nd list of names

John W. Scott

22

The Commonwealth of Virginia,

To the Sheriff of Lee County--Greeting:

We Command You, That of the Goods and Chattels of

*J. L. Scott and
John W. Scott*

late in your Bailiwick, you cause to be made \$ *173.20*, with legal interest thereon from the *11th* day of *October*, 1884, till payment, which *J. Whitehill & Co.*

lately in our Circuit Court of Lee County, has recovered against *him* by suit for *Debt*.
Also, \$ *8.24*, which to the said *J. Whitehill & Co.*

in our Court were adjudge for *their* costs in
that behalf expended, whereof the said *J. L. Scott*

is convicted, as appears to us of record. And that you
have the same before the Judge of our said Court at the Court House on the first Monday in *June*
next, to render to the said *J. Whitehill & Co.*
of the *Debt* and costs as aforesaid. And have then and there this Writ.

Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House, this *1st* day of *April*

188*5*, in the 10 *9* year of the Commonwealth.

J. A. G. Hyatt Clerk.

C. & O. 4
S. 2. 50
Col. 5. 04

204) Circuit C.D.
Mar. 27.

J. Whitehill & Co

vs ³/₃ Hi Ha

J. C. Scott

Lo June Rules 1885-

Did not leave the
office by order of
Suff. Council.
J. A. Abbott

May

April 3, 1895

Mr C. G. Hiatt you can enter my
claim as Acknowledged ^{with} Eugene & L. G. P. H.
J. Whitwell and Co. Clerk with in the
Sandwich Islands. I W. Scott
is the Lee Nevada for one year
from date

J. W. Scott
order

The Commonwealth of Virginia.

TO THE SHERIFF OF LEE COUNTY, GREETING:

WE COMMAND YOU TO SUMMON

*J. W. Scott, John W. Scott
and J. L. P. Barron*

To appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in

Next to answer

Reese D. Flannery

*Upon a plea of

Covenants broken

Damage \$ *548.04*

And have then there this writ. Witness, J. A. G. Hyatt, Clerk of our said Court at the

Court House, this

23rd day of

January

188*6*

: in the

10

year of the Commonwealth.

J. A. G. Hyatt Clerk.

30
 30
 15
 52
 1 10
 18
 10
 36
 20

 3.32
 1.50
 1.02

 6.82

Free Post (P)

Reese D. Flanary
 Res 3 Sinner Debt
 J. C. Scott et al

To February 18th 1880

Executed by delivering
 office copies of this
 sum to John W
 Scott + J. R. Barron
 and a copy to John W.
 Scott for J. C. Scott he
 being a member of the
 family of J. C. Scott
 over 20 years old &
 by recording and
 explaining the same
 to him the said
 J. C. Scott not seeing
 at his usual place
 of abode. July 27/88

H. D. Flanary, J. R. C.

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY--GREETING:

We Command You that of the Goods and Chattles of

J. C. Scott & J. M. Scott

Late in your Baliwick you cause to be made \$ *258.00* with legal interest thereon from the *1st* day of *March* 188*3* till payment which *Mrs. A. & Henry Hobbs*

Lately in our Circuit Court of Lee County have recovered against *them* by suit for *debt*

also \$ *8.16* which to the said *Mrs. A. & Henry Hobbs*

in our Court adjudged for *their*

costs in that behalf expended whereof the said

Scotts are

Convicted as appears to us of record. And that you have the same before the Judge of our said Court at

the Courthouse on the first monday in *June next*

to render to the said *Henry &*

Mrs. A. Hobbs of the

debt

and costs as aforesaid

And have then there this writ--Witness JOHN A. G. HYATT Clerk of our said Court. at the Courthouse this

3rd day of *April*

1884

in the 108

year of the Commonwealth.

J. A. G. Hyatt clerk

C 4.41
S 1.00
A 2.50
debt 25
\$8.16

31st m.

200/ Civet (P)

Wm. A. H. Hobbs

no. 211 1/2

J. C. & J. W. Scott

To June Rules 1884

THE COMMONWEALTH OF VIRGINIA.

TO THE SHERIFF OF LEE COUNTY GREETING:

We Command You that of the Goods and Chattles of

J. L. Scott and J. H. Scott

Late in your Baliwick you cause to be made \$ *326.10* the penalty of a Forthcoming Bond, to be discharged by the payment of \$ *163.05* with legal interest ^{on \$160.84} thereon from the *18th* day of *March* 18 *87* till payment which *Buck Hefflebaum & cheer*

Lately in our Circuit Court of Lee County has recovered against *them* by motion on said Bond;

also \$ *7.50*

which to the said *Buck Hefflebaum & cheer*

in our Court were adjudged for

their costs in that behalf expended whereof the said *J. L. & J. H. Scott* are

Convicted, as appears to us of record. And that you have the same before the Judge of our said Court at the

Courthouse on the first monday in

November next to render to the said *Buck Hefflebaum*

& cheer

of the

Debt

and costs as aforesaid.

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court at the courthouse this

day of

September 188 *0* in the *10*

year of the Commonwealth.

J. A. G. Hyatt

Clerk.

*to 5.75-
\$ 1.00
+ 2.50
60 2.50
\$ 7.50*

204/ airt (D)

Buck Hefflebaum & Mer

no 3 Hi Sa

J. C. H. W. Scott

No security to be taken

Lo. Nov. 1888

Not executed in court
of time.

W. L. Thompson & Co

The Commonwealth of Virginia,

TO THE SHIRIFF OF LEE COUNTY.—GREETING:

We Command You that of the Goods and Chattles of

Scott
Late in your Baliwick you cause to be made \$ *382.00* with legal interest thereon from the *1st* day of *March* 1883 till payment which *Henry & Wm. A. Hobbs*

Lately in our Circuit Court of Lee County have recovered against *Hendy* suit for *Debt*

also \$ *8.16* which to the said *Hobbses*

in our Court adjudged for

Their costs in that behalf expended whereof the said

Convicted as appears to us of record. And that you have the same before the Judge of our said Court at

the Courthouse on the first monday in *June next* to render to the said *Hobbses*

of the

Debt and costs as aforesaid

And have then there this writ-Witness JOHN A. G. HYATT Clerk of our said Court at the Courthouse this

2nd day of *April*

1884

in the 10

year of the Commonwealth.

J. A. G. Hyatt clerk

6 4.41
3 1.00
4 2.00
20
Col.
\$8.16

31m 101

2nd) First (3)

Henry H. H. H. H.

4
203 3 51 La

J. B. & J. H. Scott

To Insurance 1884

Virginia Lee County to wit:
Reese D. Slavery plff Complain
of J. C. Scott, John W. Scott and
J. K. P. Barrow defendants who have
been summoned to a plea
of Covenants broken for this that
heretofore to wit on the 21st day
of April 1886; the defendants
made their certain Covenant sealed
with their seals and signed with
their signatures the date whereof
is the day and year aforesaid and
which said Covenant is now here
to the Court shewn; By which said
Covenant the defendants Covenanted
and bound themselves to pay to the
plff five hundred and forty eight
dollars and 04^{cts}. one half payable
in six months and the other half in
twelve months from the date thereof
with interest on each moiety
thereof from said date, and the
defendants each waived the benefit
of their Homestead exemption as to said
Covenant.

Nevertheless the defendants not re-
garding their said Covenants aforesaid
have not as yet nor has either of them
although requested so to do kept the

41.17
 32.86
 22.19
 5.83
 1.62
 14.83

 118.50 Int

First Indgt. Int. from March 1 st 1883.	\$ 382.00
Second " " " "	358.00
	<hr/> \$ 640.00
Interest to March 27 th 1884.	41.17
	<hr/> \$ 681.17
Credit this date	184.00
	<hr/> \$ 497.17
Costs at law	16.32
	<hr/> \$ 513.49
Interest to April 24 th 1885.	32.86
The amt Note should have been taken for	<hr/> \$ 546.35
amt of Note to Filanary Sheriff	\$ 548.04
Int. on this sum to Decr. 24 th 1885-	22.19
	<hr/> \$ 570.23
Credit this date amt paid Hobbs	143.28
	<hr/> \$ 426.95
Int to March 16 th 1886	5.83
	<hr/> \$ 432.78
Or amt paid Pendleton pr. Recd	145.80
	<hr/> \$ 286.98
Interest to April 20 th 1886	1.62
Or amt paid A.L.P	<hr/> 288.60
	150.00
	<hr/> 138.60

16.02
7.00
9.02

Amount brought forward \$138.60
Interest to Febry 2nd 1888. 14.83

Error as per face of note

\$153.43
2.33

Cost of Continuance 4.00

\$151.10
4.00

" " account 7.50

\$155.10

6 10.87

Total Cost & Int 20.11

2.46
13.33

13.33

Prudemore 6.78
3.00

Shore 1.78

157.10
17.65
133.45
12.50
120.95

10.87
4.00
14.87

We or either of us promise to
pay Reese D. Flanagan sheriff, five
hundred and forty eight dollars
and 04^c one half in six and the
other in twelve months from this
date with interest on each moiety
from this date and as to this
debt we each waive the benefit
of our Homestead exemptions
witness our hands and seals
this April 21st 1886-.

J. L. Scott *Seal*

J. W. Scott *Seal*

J. K. P. Barron *Seal*

A Copy

Lester J. Alstyatt & Co

J. C. J. W. Lottman
To note
\$348.00

To J. L. P. for B. D. Flannery

1886 March 16th

By Cash this day & receipt
given to J. W. Scott this sum \$146.80

1886 April 20. By Cash by
hand of J. W. Scott Cash 150.00
Receipt given

Cr. for receipt in hands of J. C. Scott
given by Wm. A. Hobbs for one Hundred
& forty three dollars & 28 cents dated
December 24th 1885- \$143.28

also Cr. amt of account & suit claim
paid for me by J. C. Scott Feb. 2nd 1888 5.22

Wm. A. Hobbs -
Cr. Feb. 2nd 1888, one Hundred & fifty one
Dollars & 10 cents bal in full of Prin Int &
Costs of this note & chex suit, receipt given
A Copy Teste J. C. J. W. Lottman
Wm. A. Hobbs